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8 **IN THE UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

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10 ) Case No.: C07-04325 SBA  
11 )  
12 ) [proposed] REMAND ORDER  
13 )  
14 ) Action Filed: August 9, 2007  
EDEN HOUSING MANAGEMENT, INC., ) Action Removed to this Court:  
Plaintiff/Petitioner, ) August 22, 2007  
15 )  
vs. ) Date: November 27, 2007  
16 ) Time: 1:00 pm  
JAMES KARIM MUHAMMAD, ) Place: Courtroom 3, 3<sup>rd</sup> Floor  
Defendant/Respondent. ) Judge: Hon. Saundra Brown Armstrong

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19 The Court, after considering the oral and written submissions of the parties in connection  
20 with Petitioner's Motion for Remand, finds that it appears that this Court lacks subject matter  
21 jurisdiction over the action required pursuant to 28 USC §1441(b), and that the award of actual  
22 costs, including attorneys fees, is warranted in accord with 28 USC§1447(c). Therefore,

23 IT IS HEREBY ORDERED that:

24 1. Petitioner's Motion for Remand is GRANTED;

25 ORDER ON PETITIONER'S MOTION FOR REMAND

2. This cause is REMANDED to the Superior Court of the County of Contra Costa;
  3. The Clerk of this Court is hereby directed to prepare a certified copy of this Order and mail it to the Clerk of the Superior Court of the County of Contra Costa, Richmond Branch;
  4. Respondent is ordered to pay Petitioner's actual costs, including reasonable attorneys' fees, incurred as a result of removal.

Dated: \_\_\_\_\_

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HON. SAUNDRA B. ARMSTRONG  
JUDGE OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**ORDER ON PETITIONER'S MOTION FOR REMAND**